

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 GLORIA JACQUEZ, CHANDRA
13 JACQUEZ, and R.J.,

14 Plaintiffs,

15 v.

16 CITY OF SAN JOSE, and JACOB
17 MORRIS,

18 Defendants.

19 Case No. 16-cv-05330 NC

20 **VERDICT FORM**
21 **(LIABILITY PHASE)**

1 We the Jury unanimously find as follows:

2 **QUESTION 1: Excessive Force**

3-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris violated
4 the Fourth Amendment of the U.S. Constitution by using excessive force against Richard
5 Jacquez?

6 YES _____ NO _____

7 [If your answer to Question 1-1 is YES, then answer Questions 1-a and 1-b. If your
8 answer to Question 1-1 is NO, then skip to Question 2]

9
10 1-a Was it feasible for Jacob Morris to warn Richard Jacquez before striking him
11 with his vehicle?

12 YES _____ NO _____

13
14 1-b Did Jacob Morris warn Richard Jacquez before shooting him?

15 YES _____ NO _____

16 [Proceed to Question 2]

17
18 **QUESTION 2: Fourteenth Amendment, Interference with Familial Relationship**

19 2-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris violated
20 the Fourteenth Amendment to the U.S. Constitution?

21 YES _____ NO _____

22 [Proceed to Question 3]

1 **QUESTION 3: Negligence**

2 3-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris was
3 negligent in his use of force against Richard Jacquez?

4 YES _____ NO _____

5 [If your answer to Question 3-1 is YES, then answer 3-2. If your answer to 3-1
6 is NO, then skip to Question 4]

7 3-2 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris's use of
8 force was a substantial factor in causing harm to Richard Jacquez?

9 YES _____ NO _____

10 [Proceed to Question 4]

11 **QUESTION 4: Battery**

12 4-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris used
13 unreasonable force against Richard Jacquez?

14 YES _____ NO _____

15 [If your answer to Question 4-1 is YES, then proceed to Question 5. If your answer to 4-1
16 is NO, then skip to Question 6]

1 **QUESTION 5: Self-Defense or Defense of Others, on Battery Claim**

2 5-1 Did defendants prove by a preponderance of the evidence that Jacob Morris
3 reasonably believed that Richard Jacquez was going to harm him and/or another person?

4 YES _____ NO _____

5 [If your answer to Question 5-1 is YES, then answer 5-2. If your answer to 5-1
6 is NO, then skip to Question 6]

7 5-2 Did defendants prove by a preponderance of the evidence that Jacob Morris used
8 only the amount of force that was reasonably necessary to protect himself and/or another
9 person?

10 YES _____ NO _____

11 [Proceed to Question 6]

12 **QUESTION 6: Bane Act**

13 6-1 Did plaintiffs prove by a preponderance of the evidence that Jacob Morris acted
14 violently against Richard Jacquez for the purpose of preventing him from exercising his
15 right to be free from excessive force?

16 YES _____ NO _____

17 When Verdict Form completed, please have Presiding Juror sign and date this form and
18 alert Courtroom Deputy.

21 Date: _____, 2018

22 Presiding Juror: _____